UNITED
NATIONS

E

Economic and Social
Council

Distr.
LIMITED

E/CN.4/Sub.2/1994/L.7
16 August 1994

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-sixth session
Agenda item 17 (a)

PROMOTION, PROTECTION AND RESTORATION OF HUMAN RIGHTS AT NATIONAL, REGIONAL AND INTERNATIONAL LEVELS:

PREVENTION OF DISCRIMINATION AND PROTECTION OF CHILDREN: HUMAN RIGHTS AND YOUTH

Mr. Bengoa, Mr. Eide, Mrs. Forero Ucros, Mr. Guissé, Mrs. Gwanmesia, Mr. Lindgren Alves, Mr. Maxim, Mr. Merrills and Mr. Yimer:
draft resolution

Children and the right to adequate housing

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recalling the recognition and legal foundations of the right to adequate housing in, inter alia, the Universal Declaration on Human Rights (art. 25.1), the International Covenant on Economic, Social and Cultural Rights, (art. 11.1), the Convention on the Elimination of All Forms of Racial Discrimination (art. 5 (e) (iii)) and the Convention on the Rights of the Child (art. 27.3),

Recalling also resolution 1992/10 of 21 February 1992 of the Commission on Human Rights, in which it took note with particular interest of General Comment No. 4 (1991) on the right to adequate housing (E/1992/23, annex III) adopted by the Committee on Economic, Social and Cultural Rights at its sixth session, resolution 1993/77 of 10 March 1993 entitled "Forced evictions" and resolution 1994/14 of 25 February 1994 entitled "Promoting the realization of the right to adequate housing", adopted without a vote by the Commission on Human Rights at its forty-ninth and fiftieth sessions respectively,

Recalling further its resolutions 1991/12 of 26 August 1991, 1992/14 of 27 August 1992 and 1993/41 of 26 August 1993, entitled "Forced evictions",

Conscious that one of the areas where the indivisibility and interdependence of human rights and of the rights of children become most apparent is with respect to the existence of widespread poverty leading to inadequate housing and living conditions,

Aware of the worsening situation around the world of the living conditions of children and of the fact that tens of millions of children are being forced to live in the streets, in slums and on pavements, and that this number is growing daily,

Concerned at the especially adverse living conditions of children belonging to vulnerable groups, including indigenous people and ethnic, racial, religious and other minorities,

Deeply concerned at the particularly adverse effects of forced evictions on the health, well-being and development of children,

Stressing in general the adverse impact of poverty, and in particular of inadequate living and housing conditions, on the realization of the basic rights of children, including the right to food, to health, to education and the right to birth registration,

Stressing also that the various competent supervisory mechanisms, including the Committee on the Rights of the Child, as well as the specialized agencies of the United Nations system, need to focus more on the impact of inadequate living and housing conditions on the realization of the economic, social and cultural rights of children and their families in all parts of the world,

1. Reminds Governments to comply to the maximum extent of available resources with all existing obligations concerning the legally recognized rights of children to an adequate standard of living and the continuous improvement of living and housing conditions;

2. Recognizes the importance in this regard of international cooperation and the need for cooperation between Governments, non-governmental organizations and international agencies;

3. Recommends that the Special Rapporteur on the promotion of the realization of the right to adequate housing devote special attention in his final report, to be submitted in 1995, on the impact that violations of the right to adequate housing have on the realization of the full range of the rights of the child;

4. Also recommends that all relevant special rapporteurs, in particular the Special Rapporteurs on extreme poverty and on population transfer, and all the country rapporteurs of both the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the Commission on Human Rights take into account the question of the housing rights of children and their families in the preparation of their reports;

5. Requests the Committee on the Rights of the Child to give special attention to the issue of the housing rights of children and their families when examining States parties' reports and to consider developing appropriate indicators to assess the state of children's housing and living conditions;

6. Also requests the Committee on the Rights of the Child to consider devoting a day of general discussion to the impact of poverty and inadequate living and housing conditions on the economic, social and cultural rights of children;

7. Invites the United Nations Children's Fund to consider including, in its publications The State of the World's Children and The Progress of Nations, a separate section on the state of children's housing rights and to support actively local, national and international initiatives aimed at improving children's living and housing conditions;

8. Requests the specialized agencies and organizations and bodies of the United Nations system to devote special attention to the issue of children and

housing rights in their policies, programmes and publications, and to develop and promote the application of reliable indicators to assess the state of children's housing rights;

9. Urges the international financial institutions, in particular the World Bank and the International Monetary Fund, to take fully into account the human rights implications for children of their policies, in particular structural adjustment programmes and the funding of large-scale development projects;

10. Requests Governments, the specialized agencies and organizations and bodies of the United Nations system to develop effective strategies for rapidly improving the housing and living conditions of children throughout the world, in full consultation with and with the full participation of children themselves, their representatives and community-based non-governmental and other relevant groups;

11. Decides to review the matter of children and the right to adequate housing at its forty-seventh session, under the relevant agenda item.